

## **AMENDMENTS TO THE CLAIMS**

1-19. (Cancelled)

20. (Currently Amended) A method for delivering a best local price of an item of merchandise, comprising:

obtaining information identifying an item of merchandise that ~~the~~a user desires to purchase;

determining a physical location of the user;

querying a computerized network of information utilizing a query based on the information identifying the item of merchandise that the user desires to purchase and the physical location of the user; and

in response to the query:

identifying multiple retailers proximate to the user;

determining whether the item of merchandise that the user desires to purchase is available for purchase from at least one of the multiple retailers;

if the item of merchandise that the user desires to purchase is available for purchase from at least one of the multiple retailers:

identifying the best local price ~~in response to the query, the best local price~~ comprising a lowest price at which the item of merchandise that the user desires to purchase is available for purchase as between the multiple retailers proximate to the user; and

displaying the best local price and an identification of a retailer from among the multiple retailers proximate to the user at which the item of merchandise that the user desires to purchase is available for purchase at the best local price; and

if the item of merchandise that the user desires to purchase is not available for purchase from at least one of the multiple retailers:

identifying a closest retailer from among the multiple retailers proximate to the user; and

displaying a general type of merchandise available for purchase from the closest retailer.

21. (Currently Amended) The method of claim 20, further comprising obtaining information identifying a shopping list comprising a plurality of items of merchandise from the user, where the query is based on the information identifying the shopping list of items of merchandise and the physical location of the user.

22-27. (Cancelled)

28. (Currently Amended) An apparatus that delivers a best local price of an item of merchandise, comprising:

- a processor;
- memory that stores information under the control of the processor; and
- a computer executable program embodied on a computer readable medium in communication with the processor, the computer executable program comprising: including;
  - a code segment that obtains information identifying an item of merchandise that ~~the~~ a user desires to purchase;

- a code segment that determines a physical location of the user;
  - a code segment that queries a computerized network of information utilizing a query based on the information identifying the item of merchandise that the user desires to purchase and the physical location of the user;

- a code segment that, in response to the query:
    - identifies multiple retailers proximate to the user;
    - determines whether the item of merchandise that the user desires to purchase is available for purchase from at least one of the multiple retailers;
    - if the item of merchandise that the user desires to purchase is available for purchase from at least one of the multiple retailers:

- ~~a code segment that~~ identifies the best local price in response to the query, the best local price comprising a lowest price at which the item of merchandise that the user desires to purchase is available for purchase as between the multiple retailers proximate to the user; and

~~a code segment that~~ displays the best local price and an identification of a retailer from among the multiple retailers proximate to the user at which the item of merchandise that the user desires to purchase is available for purchase at the best local price; and if the item of merchandise that the user desires to purchase is not available for purchase from at least one of the multiple retailers:  
identifies a closest retailer from among the multiple retailers proximate to the user; and  
displays a general type of merchandise available for purchase from the closest retailer.

29. (Currently Amended) The apparatus of claim 28, the computer executable program further comprising a code segment that obtains information identifying a shopping list comprising a plurality of items of merchandise from the user.

30. (Previously Presented) The apparatus of claim 28, where the query is based on the information identifying the shopping list of items of merchandise and the physical location of the user.

31. (Previously Presented) The apparatus of claim 29, wherein said shopping list is generated by the user at a location remote from the multiple retailers proximate to the user.

32. (Currently Amended) The apparatus of claim 28, the computer executable program further comprising a code segment that displays a list of items of merchandise available at the retailer and the prices associated therewith.

33-35. (Cancelled)

36. (Currently Amended) A method for delivering a best local price of an item of merchandise from a retailer proximate a user, comprising:

obtaining information identifying a user profile including an item of merchandise that the user desires to purchase and the user's shopping preferences;

determining a physical location of the user;

automatically querying a computerized network of information utilizing a query based on the user profile and the physical location of the user; and

in response to the query:

identifying multiple retailers proximate to the user;

determining whether the item of merchandise that the user desires to purchase is available for purchase from at least one of the multiple retailers;

if the item of merchandise that the user desires to purchase is available for purchase from at least one of the multiple retailers:

identifying the best local price in response to the query, the best local price comprising a lowest price at which the item of merchandise that the user desires to purchase is available for purchase as between the multiple retailers proximate to the user; and

displaying the best local price and an identification of a retailer from among the multiple retailers proximate to the user at which the item of merchandise that the user desires to purchase is available for purchase at the best local price; and

if the item of merchandise that the user desires to purchase is not available for purchase from at least one of the multiple retailers:

identifying a closest retailer from among the multiple retailers proximate to the user; and

displaying a general type of merchandise available for purchase from the closest retailer.

37. (Previously Presented) The method of claim 36, further comprising parsing the information identifying the user profile based on predefined criteria to create the query.

38-41. (Cancelled)

42. (Currently Amended) A method for delivering a best local price of an item of merchandise from a retailer proximate a user, comprising:

obtaining user profile information from the user, the user profile information including information identifying items of merchandise that the user desires to purchase and the user's shopping preferences;

determining a physical location of the user;

querying a computerized network of information utilizing a query based on the user profile information and the physical location of the user; and

~~determining the most proximate retailers surrounding the user; and~~

~~suggesting items of merchandise for sale at the most proximate retailers surrounding the user;~~  
in response to the query:

identifying multiple retailers proximate to the user;

determining whether one or more of the items of merchandise that the user desires to purchase is available for purchase from at least one of the multiple retailers;

if one or more of the items of merchandise that the user desires to purchase is available for purchase from at least one of the multiple retailers:

identifying at least one best local price ~~in response to the query~~, the at least one best local price comprising a lowest price at which one or more of the items of merchandise are available for purchase as between the ~~most proximate~~ multiple retailers proximate to the user; and

alerting the user to the at least one best local price; and

if one or more of the item of merchandise that the user desires to purchase is not available for purchase from at least one of the multiple retailers:

identifying a closest retailer from among the multiple retailers proximate to the user; and

displaying a general type of merchandise available for purchase from the closest retailer.

43. (Previously Presented) The method of claim 42, further comprising obtaining information identifying a shopping list comprising a plurality of items of merchandise.

44. (Previously Presented) The method of claim 43, where the query is based on the information identifying the shopping list of items of merchandise and the physical location of the user.

45-48. (Cancelled)

49. (Currently Amended) An apparatus that delivers a best local price of an item of merchandise from a retailer proximate a user, comprising:

- a processor;
- memory that stores information under the control of the processor; and
- a computer executable program embodied on a computer readable medium in communication with the processor, the computer executable program ~~comprising~~including:
  - a code segment that obtains user profile information from the user, the user profile information identifying an item of merchandise that the user desires to purchase;
  - a code segment that determines a physical location of the user;
  - a code segment that queries a computerized network of information utilizing a query based on the user profile information and the physical location of the user;
  - ~~a code segment that determines the closest retailers surrounding the user;~~
  - ~~a code segment that suggests items of merchandise for sale at the closest retailers surrounding the user;~~
  - a code segment that, in response to the query:
    - identifies multiple retailers proximate to the user;
    - determines whether the item of merchandise that the user desires to purchase is available for purchase from at least one of the multiple retailers;
    - if the item of merchandise that the user desires to purchase is available for purchase from at least one of the multiple retailers:
      - a code segment that identifies ~~a at least one~~ best local price in response to the query, the ~~at least one~~ best local price comprising a lowest price at which ~~one or more of~~ the item[[s]] of merchandise ~~are~~is available for purchase as between the ~~closest~~ multiple retailers proximate to the user; and

a code segment that alerts the user to the ~~at least one~~ best local price; and

if the item of merchandise that the user desires to purchase is not available for purchase from at least one of the multiple retailers:

identifies a closest retailer from among the multiple retailers proximate to the user; and

displays a general type of merchandise available for purchase from the closest retailer.

50. (Currently Amended) The apparatus of claim 49, the computer executable program further comprising a code segment that obtains information identifying a shopping list comprising a plurality of items of merchandise from the user.

51. (Currently Amended) The apparatus of claim 49, the computer executable program further comprising a code segment that queries a computerized network of information utilizing a query based on the information identifying the shopping list of items of merchandise and the physical location of the user.

52-55. (Cancelled)

56. (Currently Amended) A method for delivering purchasing information for sale of an item of merchandise from a retailer proximate a user, comprising:

obtaining user profile information from the user, the user profile information identifying the item of merchandise and the user's shopping preferences;

determining a physical location of the user;

automatically querying a computerized network of information utilizing a query based on the user profile information and the physical location of the user, ~~a result of the query identifying retailers proximate the user having items of merchandise for sale; and~~

in response to the query:

identifying multiple retailers proximate to the user;

determining whether the item of merchandise is available for purchase from at least one of the multiple retailers;

if the item of merchandise is available for purchase from at least one of the multiple retailers:

generating purchasing information for the item of merchandise based on the user profile and the result of the query, the purchasing information comprising a best local price that corresponds to the lowest price at which the item of merchandise is offered as between the multiple retailers proximate to the user;

displaying the purchasing information; and  
~~determining the closest retailers surrounding the user; and~~  
~~suggesting items of merchandise for sale at the closest retailers surrounding the user~~

if the item of merchandise is not available for purchase from at least one of the multiple retailers:

identifying a closest retailer from among the multiple retailers proximate to the user; and

displaying a general type of merchandise available for purchase from the closest retailer.

57. (Previously Presented) The method of claim 56, further comprising parsing the user profile information based on predefined criteria to create the query.

58-60. (Cancelled)

61. (Currently Amended) A mobile shopping agent, comprising:

means for receiving from a user an input comprising a product desired to be purchased by ~~the~~ a user;

means for automatically querying a computerized network of information identifying items of merchandise for sale at multiple retailers proximate the user utilizing a query based on the input and a physical location of the user;

~~means responsive to automatically querying for locating at least one retailer being proximate the user having an item of merchandise for sale that is associated with the desired product;~~

means responsive to the query for:

identifying the multiple retailers proximate to the user;

determining whether the desired product is available for purchase from at least one of the multiple retailers;

if the desired product is available for purchase from at least one of the multiple retailers:

~~means responsive to automatically querying for identifying a best local price, the best local price comprising a lowest price at which the desired product is available for purchase as between the multiple retailers proximate to the user; and~~

~~means for displaying the best local price and an identification of a retailer from among the multiple retailers proximate to the user at which the desired product is available for purchase at the best local price; and~~

if the desired product is not available for purchase from at least one of the multiple retailers:

identifying a closest retailer from among the multiple retailers proximate to the user; and

displaying a general type of merchandise available for purchase from the closest retailer.

62-64. (Cancelled)

65. (Previously Presented) The mobile shopping agent of claim 61, wherein the means for displaying further comprises a means for displaying a list of a plurality of retailers proximate the user and for displaying an offer for sale of items of merchandise for sale at the each of the plurality of retailers.

66. (Cancelled)

67. (Currently Amended) A method for presenting a best local price of an item of merchandise, comprising:

storing user profile information including user preferences related to at least one product desired to be purchased by a mobile user;

determining a physical location of the mobile user;

querying a computer network utilizing a query based on the stored user profile information and the physical location of the mobile shopper ~~to locate a retailer proximate the mobile user that offers for sale the at least one product desired to be purchased; and~~

in response to the query:

identifying multiple retailers proximate to the user;

determining whether the at least one product desired to be purchased by the mobile user is available for purchase from at least one of the multiple retailers;

if the at least one product desired to be purchased by the mobile user is available for purchase from at least one of the multiple retailers:

identifying the best local price ~~in response to the query~~, the best local price comprising a lowest price at which the at least one product desired to be purchased is available for purchase as between the multiple retailers proximate to the user; and

displaying the best local price and an identification of a retailer from among the multiple retailers proximate to the user at which the at least one product desired to be purchased is available for purchase at the best local price; and

if the at least one product desired to be purchased by the mobile user is not available for purchase from at least one of the multiple retailers:

identifying a closest retailer from among the multiple retailers proximate to the user; and

displaying a general type of merchandise available for purchase from the closest retailer.

68. (Previously Presented) The method of claim 67, further comprising displaying a location of the retailer at which the at least one product desired to be purchased is available for purchase at the best local price with respect to the location of the mobile user.

69-72. (Cancelled)

73. (Currently Amended) The method of claim 20, where the information identifying the item of merchandise that the user desires to purchase ~~user profile~~ is stored on a wireless handheld device comprising a GPS receiver for determining the physical location of the user.

74. (Cancelled)

75. (Previously Presented) The method of claim 20, further comprising displaying a map showing the physical location of the user relative to the physical location of specific retailers proximate to the physical location of the user.

76. (Previously Presented) The method of claim 75, further comprising continuously updating the map as the user moves to show a new physical location of the user relative to the physical location of specific retailers proximate to the new physical location of the user.

77. (Previously Presented) The method of claim 20, further comprising pinpointing the physical location of the user with an accuracy of approximately 100 feet or less.

78. (Previously Presented) The apparatus of claim 28, further comprising a GPS receiver in communication with the processor.

79. (Currently Amended) The apparatus of claim 28, the computer executable program further comprising a code segment that displays a map showing the physical location of the user relative to the physical location of specific retailers proximate to the physical location of the user.

80. (Currently Amended) The apparatus of claim 79, the computer executable program further comprising a code segment that continuously updates the map as the user moves to show a new physical location of the user relative to the physical location of specific retailers proximate to the new physical location of the user.

81. (Cancelled)

82. (Previously Presented) The method of claim 20, further comprising obtaining a user profile, the user profile comprising the information identifying the item of merchandise that the user desires to purchase and shopping preferences of the user.

83. (Previously Presented) The method of claim 82, further comprising:

transmitting the physical location of the user and the user profile to a retailer-based agent comprising identifications of physical locations of the multiple retailers proximate to the user and items of merchandise available for purchase at the multiple retailers proximate to the user; and

receiving from the retailer-based agent the customized offer for sale of the item of merchandise offered for sale from a retailer proximate the user, where the item of merchandise offered for sale from a retailer proximate to the user corresponds to the item of merchandise that the user desires to purchase.

84. (Previously Presented) The method of claim 83, where the customized offer is generated based on the user profile and a result of the query.

85. (Currently Amended) The apparatus of claim 28, the computer executable program further ~~including~~comprising:

a code segment that transmits the physical location of the user and a user profile to a retailer-based agent including the computerized network of information having identifications of physical locations of the multiple retailers proximate to the user and items of merchandise available for purchase at the multiple retailers proximate to the user, the user profile comprising the item of merchandise that the user desires to purchase and shopping preferences of the user;

a code segment that generates a customized offer for the item of merchandise based on the user profile and the result of the query; and

a code segment that receives the customized offer for sale of the item of merchandise from the retailer-based agent, the item of merchandise being offered for sale at a retailer proximate the user.

86. (Previously Presented) The method of claim 36, further comprising:

transmitting the physical location of the user and the user profile to a retailer agent including a computerized network of information having identifications of physical locations of retailers and items of merchandise available for purchase at the retailers;

generating purchasing information for the item of merchandise according to the user profile and the result of the query; and

receiving the purchasing information from the retailer agent, the purchasing information including an offer for sale of the item of merchandise being associated with the item of merchandise that the user desires to purchase.

87. (Previously Presented) The method of claim 42, further comprising:

transmitting the physical location of the user and the user profile information to a retailer-based agent including a computerized network of information having identifications of physical locations of retailers and items of merchandise available for purchase at the retailers;

generating customized offers for sale for the item of merchandise based on the user profile information and the result of the query;

receiving from the retailer based agent the customized offers for sale of the item of merchandise from one or more retailers proximate the user; and

displaying the customized offers and a physical location of the one or more retailers proximate the user.

88. (Currently Amended) The apparatus of claim 49, the computer executable program further ~~including~~ comprising:

a code segment that transmits the physical location of the user and the user profile information to a retailer-based agent including a computerized network of information having

identifications of physical locations of retailers and items of merchandise available for purchase at the retailers;

a code segment that generates a customized offer for the item of merchandise based on the user profile and the result of the query;

a code segment that receives the customized offer for sale of the item of merchandise from the retailer based agent; and

a code segment that displays the customized offer and the physical location of a retailers proximate the user having the item of merchandise for sale.

89. (Previously Presented) The method of claim 56, further comprising:

transmitting the physical location of the user and the user profile to an agent including a computerized network of information having identifications of physical locations of retailers and items of merchandise available for purchase at the retailers; and

receiving the purchasing information from an agent in response to the identifying purchasing information.

90. (Previously Presented) The mobile shopping agent of claim 61, further comprising:

means for generating a customized offer for the item of merchandise based a user profile and a result of the query; and

means for displaying the customized offer to the user.

91. (Previously Presented) The mobile shopping agent of claim 90, the user profile comprising shopping preferences of the user.

92. (Previously Presented) The method of claim 67, further comprising:

generating an offer for sale of the at least one product based on the user profile; and

displaying the offer and the location of a retailer associated with the offer to the mobile user.

93. (Previously Presented) The method of claim 92, where the offer is generated based on the user profile and the location of the mobile user transmitted to a retailer agent including the computerized network of information.

94. (New) The method of claim 20, further comprising inferring an activity the user is engaged in based on the physical location of the user, where the query is based on the information identifying the item of merchandise that the user desires to purchase, the physical location of the user, and the inferred activity.

95. (New) The apparatus of claim 28, where the computer executable program further comprises a code segment that infers an activity the user is engaged in based on the physical location of the user, where the query is based on the information identifying the item of merchandise that the user desires to purchase, the physical location of the user, and the inferred activity.

96. (New) The method of claim 36, further comprising inferring an activity the user is engaged in based on the physical location of the user, where the query is based on the user profile, the physical location of the user, and the inferred activity.

97. (New) The method of claim 42, further comprising inferring an activity the user is engaged in based on the physical location of the user, where the query is based on the user profile information, the physical location of the user, and the inferred activity.

98. (New) The apparatus of claim 49, where the computer executable program further comprises a code segment that infers an activity the user is engaged in based on the physical location of the user, where the query is based on the user profile information, the physical location of the user, and the inferred activity.

99. (New) The method of claim 56, further comprising inferring an activity the user is engaged in based on the physical location of the user, where the query is based on the user profile information, the physical location of the user, and inferred activity.

100. (New) The mobile shopping agent of claim 61, further comprising inferring an activity the user is engaged in based on the physical location of the user, where the query is based on the input, the physical location of the user, and the inferred activity.

101. (New) The method of claim 67, further comprising inferring an activity the mobile shopper is engaged in based on the physical location of the mobile shopper, where the query is based on the stored user profile information, the physical location of the mobile shopper, and the inferred activity.

102. (New) The method of claim 20, further comprising:  
generating a customized product rating report about the item of merchandise that the user desires to purchase based on prior product ratings previously generated by other users whose respective user profiles are similar to, within a similarity threshold, a user profile associated with the user; and

transmitting the customized product rating report to the user.

103. (New) The method of claim 102, where generating the customized product rating report comprises:

obtaining the user profile associated with the user;

obtaining additional user profiles, each additional user profile corresponding to an additional user that has previously generated the prior product rating about the item of merchandise that the user desires to purchase;

identifying, from among the additional user profiles, a set of closest user profiles that are similar to the user profile within the similarity threshold; and

combining the prior product ratings associated with each user profile in the set of closest user profiles to generate the customized product rating report about the item of merchandise that the user desires to purchase.

104. (New) The apparatus of claim 28, the executable computer program further comprising:  
a code segment that generates a customized product rating report about the item of merchandise that the user desires to purchase based on prior product ratings previously generated by other users whose respective user profiles are similar to, within a similarity threshold, a user profile associated with the user; and

a code segment that transmits the customized product rating report to the user.

105. (New) The apparatus of claim 104, where the code segment that generates a customized product rating report comprises:

a code segment that obtains the user profile associated with the user;

a code segment that obtains additional user profiles, each additional user profile corresponding to an additional user that has previously generated the prior product rating about the item of merchandise that the user desires to purchase;

a code segment that identifies, from among the additional user profiles, a set of closest user profiles that are similar to the user profile within the similarity threshold; and

a code segment that combines the prior product ratings associated with each user profile in the set of closest user profiles to generate the customized product rating report about the item of merchandise that the user desires to purchase.

106. (New) The method of claim 36, further comprising:

obtaining additional user profiles, each additional user profile corresponding to an additional user that has previously generated a product rating about the item of merchandise that the user desires to purchase;

identifying, from among the additional user profiles, a set of closest user profiles that are similar to the user profile within a similarity threshold;

combining the product ratings associated with each user profile in the set of closest user profiles to generate a customized product rating report about the item of merchandise that the user desires to purchase; and

transmitting the customized product rating report to the user.

107. (New) The method of claim 42, further comprising:

generating a customized product rating report about one or more of the items of merchandise that the user desires to purchase based on prior product ratings previously generated by other users whose corresponding user profile information is similar to, within a similarity threshold, the user profile information associated with the user; and

transmitting the customized product rating report to the user.

108. (New) The apparatus of claim 49, the computer executable program further comprising:

a code segment that obtains additional user profile information corresponding to additional users that have previously generated product ratings about one or more of the items of merchandise that the user desires to purchase;

a code segment that identifies, from among the additional user profile information, a set of closest user profiles that are similar to the user profile information within a similarity threshold;

a code segment that combines the product ratings associated with each user profile in the set of closest user profiles to generate a customized product rating report about the one or more items of merchandise that the user desires to purchase; and

a code segment that transmits the customized product rating report to the user.

109. (New) The method of claim 56, further comprising:

obtaining additional user profile information corresponding to additional users that have previously generated product ratings about the item of merchandise;

identifying, from among the additional user profile information, a set of closest user profiles that are similar to the user profile information within a similarity threshold;

combining the product ratings associated with each user profile in the set of closest user profiles to generate a customized product rating report about the item of merchandise; and  
transmitting the customized product rating report to the user.

110. (New) The mobile shopping agent of claim 61, further comprising:

means for generating a customized product rating report about the desired product based on prior product ratings previously generated by other users whose corresponding user profile is similar to, within a similarity threshold, a user profile associated with the user; and  
means for transmitting the customized product rating report to the user.

111. (New) The method of claim 67, further comprising:

generating a customized product rating report about the at least one product desired to be purchased by the mobile user based on prior product ratings previously generated by other users whose corresponding user profile information is similar to, within a similarity threshold, the user profile information associated with the mobile user; and  
transmitting the customized product rating report to the user.

112. (New) A method for delivering a best local price of an item of merchandise, comprising:  
obtaining a user profile associated with a user comprising information identifying an item of merchandise that a user desires to purchase;

obtaining additional user profiles, each additional user profile corresponding to an additional user that has previously generated a product rating about the item of merchandise that the user desires to purchase;

identifying, from among the additional user profiles, a set of closest user profiles that are similar to the user profile within a similarity threshold;

combining the product ratings associated with each user profile in the set of closest user profiles to generate a customized product rating report about the item of merchandise that the user desires to purchase;

determining a physical location of the user;

querying a computerized network of information utilizing a query based on the information identifying the item of merchandise that the user desires to purchase and the physical location of the user;

identifying the best local price in response to the query, the best local price comprising a lowest price at which the item of merchandise that the user desires to purchase is available for purchase as between multiple retailers proximate to the user; and

displaying the best local price, the customized product rating report, and an identification of a retailer from among the multiple retailers proximate to the user at which the item of merchandise that the user desires to purchase is available for purchase at the best local price.

113. (New) The method of claim 112, further comprising, in response to the query:

identifying multiple retailers proximate to the user;

determining whether the item of merchandise that the user desires to purchase is available for purchase from at least one of the multiple retailers; and

if the item of merchandise that the user desires to purchase is not available for purchase from at least one of the multiple retailers:

identifying a closest retailer from among the multiple retailers proximate to the user; and

displaying a general type of merchandise available for purchase from the closest retailer.

114. (New) The method of claim 112, further comprising inferring an activity the user is engaged in based on the physical location of the user, where the query is based on the information identifying the item of merchandise that the user desires to purchase, the physical location of the user, and the inferred activity.